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RESOLUTION NO. 3747

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO
ADOPTING AN AMENDMENT TO THE 1964 GENERAL PLAN CONCERNING
THE LAND USE ELEMENT FOR THE VALLEY FLOOR INFILLING AREA

WHEREAS, the City Council as a part of the comprehensive General Plan study, has reviewed the recommendations of the Planning Commission and has held public hearings, and

WHEREAS, the City Council has concluded its deliberation relative to the "Valley Floor Infilling Area" of the community,

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Council hereby adopts an amendment to the 1964 General Plan concerning the Land Use Element for the Valley Floor Infilling Area as set forth in Exhibit B and B-1 attached hereto and made a part hereof.
2. That the City Council hereby authorizes the Mayor to endorse said adoption as provided for on Exhibit B.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 7th day of October, 1974, by the following vote:

Vote Members of the City Council

AYES: Jackson, Meyers, Nellis, Sparks

INSTITUTE OF GOVERNMENTAL
STUDIES LIBRARY

NOES: None

ABSENT: Frolich

MAR 29 1977

ABSTAIN: None

UNIVERSITY OF CALIFORNIA

APPROVED:

/s/ Reed Sparks

Mayor, City of Cupertino

ATTEST:

/s/ Wm. E. Ryder

City Clerk





CITY OF CUPERTINO GENERAL PLAN PROGRAM

DESCRIPTION AND STANDARDS OF LAND USE DESIGNATIONS

WITHIN THE INFILLING OF THE VALLEY FLOOR AREA

EXHIBIT B-1

This exhibit accompanies the map labelled Exhibit B which is the approved General Plan map describing land use types and intensities for the geographical area of the City known as "Infilling of the Valley Floor." The Infilling of the Valley Floor area comprises that portion of the City of Cupertino's sphere of influence excluding the central core and foothills. Figure 1 describes the boundary of the valley floor infilling and the other three geographical areas of the sphere of influence which have been or will be evaluated separately in the City's General Plan program. Figure 2 defines the boundaries of properties that were studied in detail in the Core and the Valley Floor Infilling plans. The numbered and alphabetical designations delineate specific undeveloped or semi-developed properties or groups of properties.

CLASSIFICATION OF LAND AREAS EVALUATED AS A PART OF THE VALLEY FLOOR INFILLING SEGMENT OF THE GENERAL PLAN PROGRAM

Properties within the Valley Floor Infilling segment of the General Plan were classified into three categories based upon their degree of urbanization.

Existing Development

This category pertains to properties that are presently developed and zoned in a manner either consistent or inconsistent with the 1964 General Plan. Exhibit B reaffirms existing zoning and development which is consistent with the 1964 Plan and recognizes existing development and zoning of certain properties that are inconsistent with the 1964 Plan. Inconsistently zoned and

developed properties are reflected on the 1974 Infilling Amendment if the properties are substantially developed with uses that are in conformance with current zoning regulations (setbacks, parking, etc.) and building code standards. Undeveloped recorded lots within subdivisions that are zoned inconsistently with the 1964 General Plan are designated on the 1974 Infilling Plan (Exhibit B) in a manner to reflect the land use type and intensity of developed lots within the same subdivision. A specific example of an inconsistently zoned and developed subdivision that is recognized by the 1974 Infilling Amendment is the 16 dwelling unit per acre La Cresta subdivision served by Alpine Drive and Salem Drive.

Undeveloped and Unimproved Properties

This category is described on Figure 2 by numerical designations. These properties represent areas in which there are viable development alternatives and, as such, these areas were subjected to a greater degree of inquiry relative to potential impacts resulting from alternative land uses. In some cases the zoning of properties in this category are inconsistent with the 1964 General Plan.

Semi-Developed Properties

This classification is designated by letters on Figure 2. The semi-developed properties are areas of the sphere of influence in which the land use type is primarily established; however, the intensity of development is not established. This designation primarily reflects residential areas within County jurisdiction in the western portion of the community.

EVALUATION FACTORS

Each of the properties or groups of properties in the undeveloped numerically designated study areas and the semi-developed alphabetically designated

areas were evaluated based upon a number of factors. The developed portion of the residential infilling area of the General Plan was not evaluated in terms of alternative land uses but the land uses and intensity of land uses within the already developed portions were utilized in base information relative to traffic and population projections.

Two separate geographical sub-areas within the Valley Floor Infilling area of the General Plan warranted special consideration. The two areas are Old Monta Vista as defined by the "Old Monta Vista General Plan" and the Stevens Creek Flood Plain from Stevens Creek Reservoir to Stevens Creek. The Old Monta Vista Plan deserved special consideration because the area is presently regulated by a very specific plan, and the area has a special sense of community in which people strongly identify.

The Stevens Creek natural flood plain received special attention during the hearings because of the potential of flooding risk for existing and potential residents and because of its environmental resource value.

Seven community development and environmental resource and constraint factors were utilized to evaluate alternative land uses for undeveloped and semi-developed properties within the Valley Floor Infilling segment of the General Plan. The community development factors were:

1. Fiscal Impact
2. Traffic Impact
3. Housing Choice
4. Neighborhood and Community Park Needs
5. Commercial Land Use Need

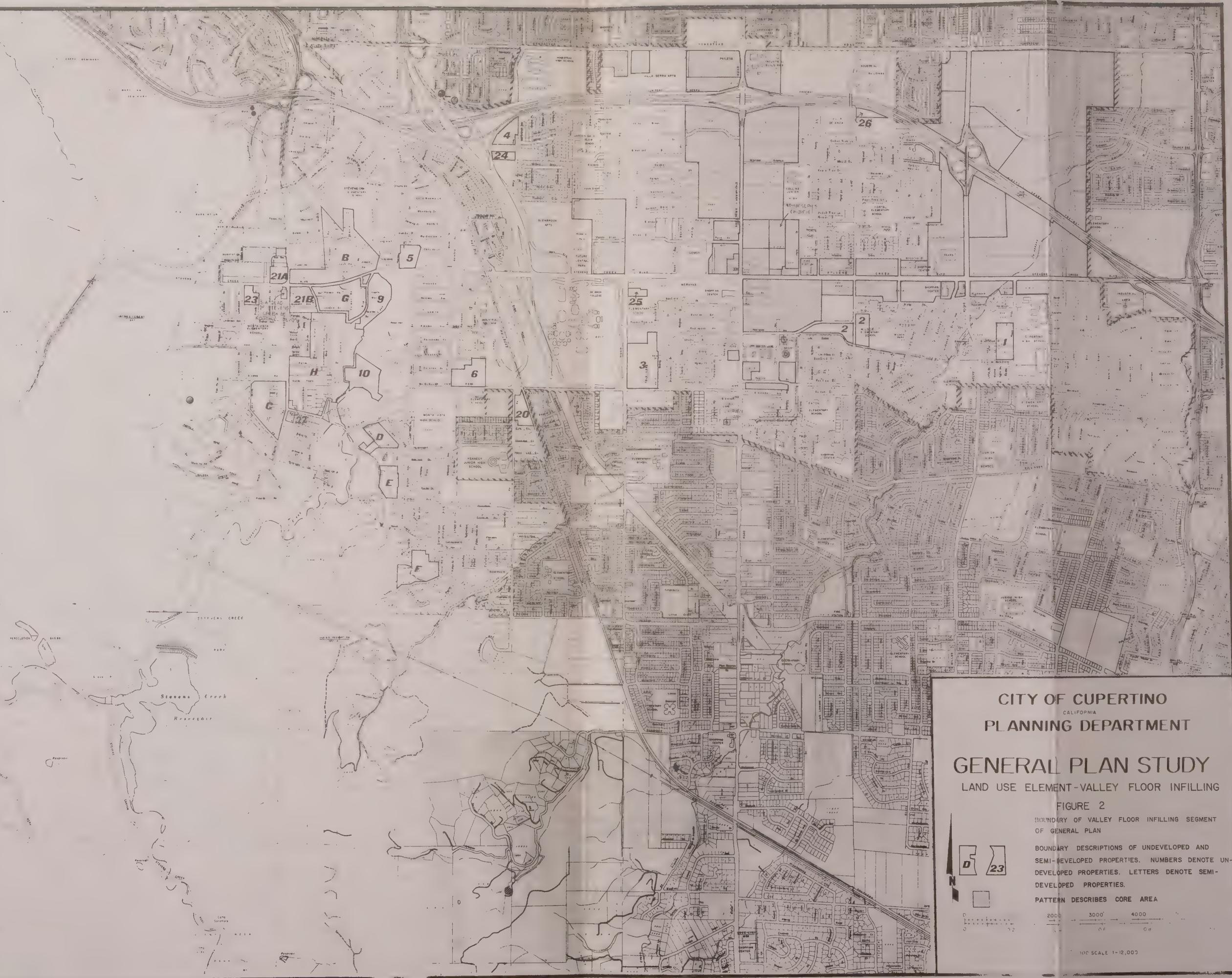
The environmental resource and constraint factors were:

1. Natural Resource Conservation
2. Protection from Flood Risk



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**CITY OF CUPERTINO
CALIFORNIA
PLANNING DEPARTMENT**

**GENERAL PLAN STUDY
LAND USE ELEMENT-VALLEY FLOOR INFILLING**

FIGURE 2

BOUNDARY OF VALLEY FLOOR INFILLING SEGMENT
OF GENERAL PLAN

BOUNDARY DESCRIPTIONS OF UNDEVELOPED AND
SEMI-DEVELOPED PROPERTIES. NUMBERS DENOTE UN-
DEVELOPED PROPERTIES. LETTERS DENOTE SEMI-
DEVELOPED PROPERTIES.

PATTERN DESCRIBES CORE AREA

2000' 3000' 4000'
0' 0' 0' 0'

100 SCALE 1-2,000

Community Development Factors

1. Fiscal Impact

The term fiscal impact relates to an analysis of governmental costs and revenues that would result from alternative land uses involving the developed and semi-developed areas within the Valley Floor Infilling element of the General Plan. The fiscal impact was evaluated based upon the total tax effort involving the following jurisdictions:

City of Cupertino

Cupertino Union High School District

Fremont High School District

Foothill Community College District

Central Fire District

Cupertino Sanitary District

There are other taxation districts within the City of Cupertino's sphere of influence; however, the tax effort from the other jurisdictions is insignificant. The Commission found that development resulting from the implementation of the infilling plan would result in the construction of approximately 950 to 1210 additional dwelling units, raising the existing dwelling unit base in the infilling area from 10,780 units to between 11,730 and 11,990 units. The present population is approximately 34,500 persons (based on 1970 household size). The infilling will add between 3,000 to 4,000 persons. The Commission found that the development of the undeveloped and semi-developed properties within the residential infilling would not have a significant impact on government costs and revenues on the abovementioned jurisdictions.

2. Traffic Impact

The Commission finds that based upon traffic generation data supplied by the consulting firm of JMK Associates that the additional construction of between 950 and 1210 units will not adversely affect the major traffic

arterials such as Stevens Creek Boulevard, Foothill Boulevard/Stevens Canyon Road and Bollinger Road and collector streets serving specific residential neighborhoods.

3. Housing Choice

In 1972 the City of Cupertino adopted a Housing Element which included a basic objective of providing housing choice for all economic, racial and ethnic segments of the community. Beginning in 1972 several Federal housing programs have come under review by the present administration. A moratorium, in effect, has been established on existing ongoing programs. The moratorium in combination with inflationary pressures has raised the cost of housing to the point where the City of Cupertino is in a relatively worse position to provide housing for the full range of economic and ethnic groups within the community. The Housing Element contains a goal by which the City of Cupertino would strive to ensure that relatively large developments provide a housing mix as part of the overall development approval. In effect, then, the private developer would to a certain degree subsidize a limited percentage of buyers within the development.

The Commission finds that there are no properties within the residential infilling segment of the General Plan which are large enough to support a private subsidy program; however, the Commission finds that in certain areas a housing range can be established which will allow greater density than that within the surrounding neighborhood if the developer can show that he can implement a community-wide social goal.

4. Neighborhood and Community Park Needs

The 1972 Open Space and Conservation Element contains a policy setting forth a park land to population ratio of 5-1/2 acres of neighborhood and community park land per 1,000 persons. On March 4, 1974, the Cupertino City Council adopted a Park Dedication Ordinance which requires a residential subdivider to dedicate 3 acres per thousand population generated by a subdivision or

pay a fee in lieu thereof. The enactment of this ordinance will insure that future residential development in the Valley Floor Infilling area of the General Plan will provide its own neighborhood park acquisition needs. Community park needs for new residential development will be provided by the community as a whole.

The City is currently studying the feasibility of joint school-ground/park usage with appropriate school district officials. Based upon a tentative analysis, if a joint school/park use plan can be negotiated, the City will satisfy its total park needs for the community.

Because of the existing development pattern, the eastern section of the City may be somewhat deficient in terms of the neighborhood park standard. A detailed quantitative and qualitative analysis will be available later this year and will be discussed in later hearings involving the general plan amendment.

5. Commercial Land Use Need

The Planning Commission studied the commercial needs for the residential infilling portion of the community and determined that existing neighborhood convenience centers within the City will adequately satisfy the daily needs of the residents of the community. The Commission finds that no new neighborhood centers may be constructed west of the Route 85 Freeway right of way and further that the existing commercial center within Old Monta Vista be strengthened to provide a neighborhood and community range of services for residents within the western portion of the community.

Environmental Resource and Constraint Factors

1. Natural Resource Protection

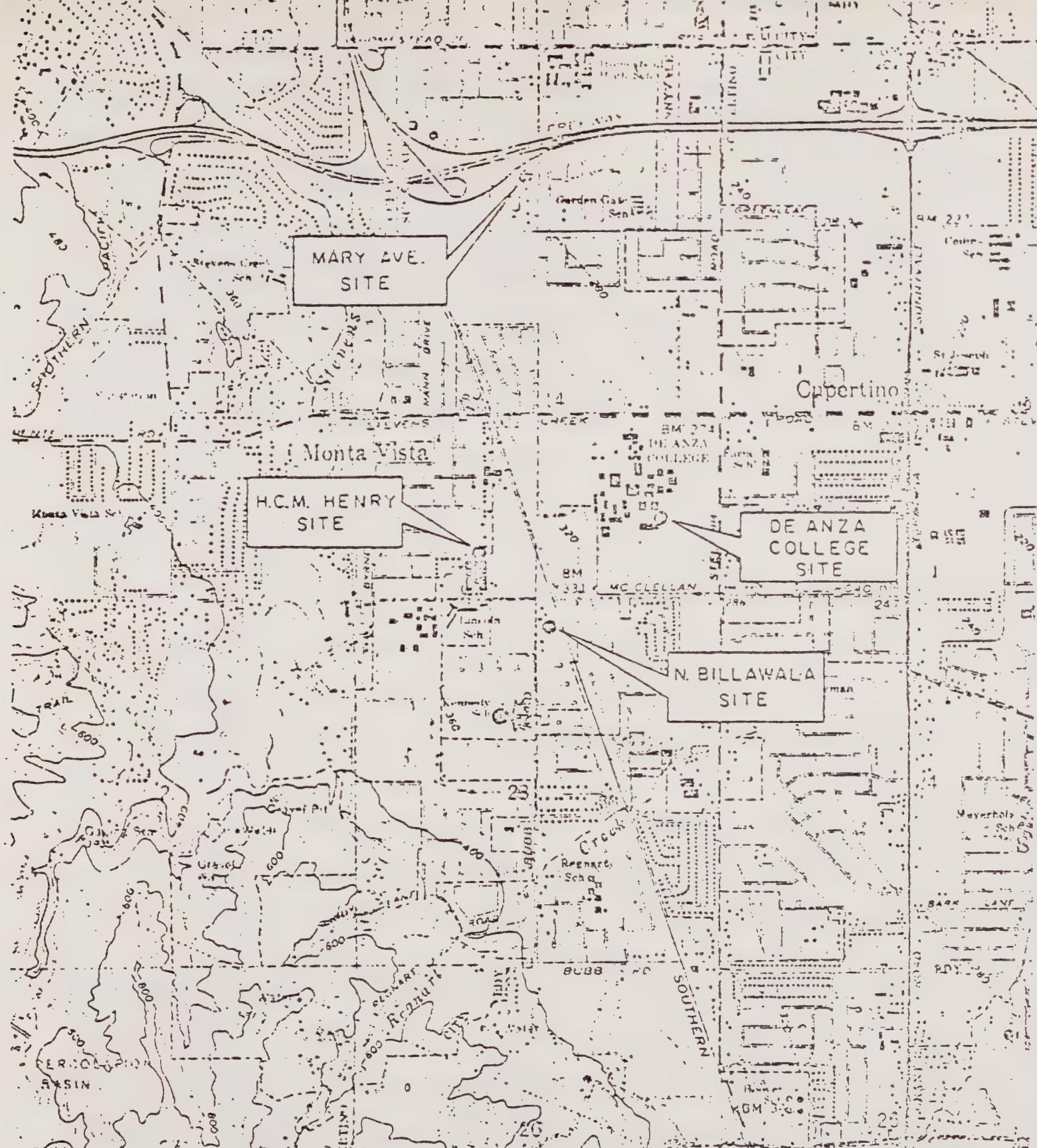
The Planning Commission has evaluated each of the specific study areas within the undeveloped and semi-developed areas of the infilling portion of the General Plan in terms of the potential for agricultural use and the potential for ground water recharge. The Commission finds that although the majority of the study areas are characterized by having Class One or Two soils, the small size of the individual properties or group of properties restrict the economic viability of agricultural use in the long run. The Commission, however, encourages the use of existing agricultural land uses.

The Santa Clara Valley Water District conducted a general review of the potential of certain properties to serve as percolation ponds to recharge ground water.

A large area in the western section of Cupertino, more precisely the De Anza College, West Valley Industrial Park and Montebello residential area, is ideally suited for ground water recharge use because of geologic conditions and the proximity of the West Valley Western Pipeline which parallels the Southern Pacific Railroad spur. Figure 7 describes the location of specific sites that have been evaluated by the District. The District has acquired the Billawala property designated on Figure 7.

The Santa Clara Valley will face a serious shortage of water by 1978 assuming that the current growth trend will continue. Unless new sources of water can be developed either through waste water reclamation or via the San Felipe Project, the ground water basin will be used to a greater degree which will result in continued ground subsidence.

Although additional percolation basins are needed to supply water to the ground water basin, the Flood Control District has no



scale - 1" = 2000'
C.I. = 40'

POSSIBLE PERCOLATION

FACILITY SITES

SOURCE: Draft Environmental Impact Report
on proposed McClellan Road Percolation
Pond.

Santa Clara Valley Water District

FIGURE 7

specific plans to acquire additional properties in the Cupertino area at this time.

2. Protection from Flood Risk

In a series of three meetings, the Planning Commission reviewed a Flood Plain Management Program in conjunction with representatives from the Santa Clara Valley Water District. More specifically, the Planning Commission evaluated the reach of Stevens Creek between the Stevens Creek Reservoir and Stevens Creek Boulevard. The Commission found that a land use regulation in the form of an ordinance should be prepared to restrict urban development within the natural flood plain for the abovementioned reach of Stevens Creek. The natural flood plain concept which is based upon the 100-year flood frequency event has the primary benefit of protecting existing and future residents from flood risk and the elimination of the potential for excessive governmental expenditures to protect citizens and property from flood risk and to retain the ground water percolation capacity of the Creek. A secondary benefit of the natural flood plain concept will be to retain the natural character of the Old Monta Vista segment of the City of Cupertino. In this case, the Stevens Creek environs serves as an "urban shaper" which helps define and restrict intensive urban development and enhance community identity.

Methodology for Evaluating Individual Properties and the Aggregate Total of the Properties within the Infilling Segment

The Planning Commission evaluated the individual developed and semi-developed described properties on Figure 2 based upon the community development and environmental resource factors defined above. The analysis was made initially on an area by area basis with the primary intent to evaluate the properties based upon its local neighborhood impact. Upon completion of an individual evaluation the Commission evaluated the impact of the aggregate individual

decisions made by the Commission and determined that the aggregate impact of development on individual properties would not have an adverse impact on the community, in terms of its ability to serve existing and future residents and in terms of its environment.

GENERAL POLICIES FOR THE VALLEY FLOOR INFILLING SEGMENT OF THE GENERAL PLAN

The general policies listed below pertain to the Valley Floor Infilling segment of the General Plan. The geographical boundary of the Valley Floor Infilling segment is described on Figure 1 of the document labeled "Geographic Subareas". General findings for the Core Area are contained in City Council Resolution No. 3592 enacted in conjunction with the adoption of the Core Area Plan.

1. Dwelling unit density ranges are set forth for land areas designated for residential use. The greatest density within a given range shall not be approved as a matter of right.

Specific densities for specific properties shall be established during the zoning map preparation stage of the general plan process. The Planning Commission and City Council shall evaluate individual zoning requests based upon community development criteria such as "neighborhood character", public services and local traffic and environmental resource and constraint criteria such as geologic stability and protection from flood risk.

2. Residential development in the Valley Floor Infilling area of the General Plan may include densities which exceed present City maximums if such development meets a special community-wide social goal and the increase in density will not adversely affect the traffic-carrying capacity of local streets or the capacity of other public services nor adversely alter the neighborhood character.

3. Undeveloped lots within recorded residential subdivisions shall reflect the dwelling unit type and intensity of developed properties within the subdivision. Properties designated for high intensity residential uses can be zoned to a less intense residential use if the change will not alter the residential character of the immediate neighborhood.

4. Residential units constructed adjacent to major arterials shall be isolated from "unacceptable" noise levels by appropriate means as may be determined by an acoustical engineer.

5. Public and quasi-public land uses can be initiated without amending the General Plan. The introduction of said uses shall require appropriate zoning changes.

6. The land use designations described on Exhibit B shall not preclude the construction of percolation ponds and the retention of agricultural uses on lands which are appropriately zoned for said uses.

Policy Statement for the Old Monta Vista General Plan

The 1964 General Plan proposed a massive redevelopment program for Monta Vista vis-a-vis the development of industrial uses. The specific boundary of the redevelopment area was Stevens Creek Boulevard, Byrne Avenue, McClellan Road and Imperial Avenue. In 1968 and 1969 the City of Cupertino in conjunction with the County Planning Department and the residents of Old Monta Vista developed a new plan which recognizes the unique character of the area. The 1969 plan which was adopted in March of 1969 restricted industrial development to lands immediately adjacent to Imperial Avenue and drastically curtailed the extent of commercial land use on Pasadena Avenue from the southerly terminus of Pasadena to Granada Avenue. The balance of the Old Monta Vista area south of Stevens Creek was redesignated for low density single-family purposes. The purpose of the revision was to strengthen the residential character of Old Monta Vista and preserve its housing stock.

The 1974 Valley Floor Infilling Plan Amendment (Exhibit B) reaffirms the 1969 plan amendment with the exception that the northeast quadrant of the intersection of Orange Avenue and McClellan Road is redesignated from single-family residential 4.4 to a residential density range of 4.4 to 10.

The 1974 Amendment additionally proposes that the quadrant of land north of Stevens Creek between Route 85 Freeway and Peninsula Drive to the east and west and University Avenue to the north be redesignated from a duplex density to Planned Development commercial and a flexible residential density range of between 4.4 to 7.7 units per gross acre.

The commercially-orientated properties shall be designated Planned Development with a commercial intent to give the City additional control over site design and activities. Additionally, individual properties can be developed individually and no access can be gained for commercial uses through Santa Clara Avenue.

Upon completion of the lower and upper foothill segments of the General Plan the City will re-initiate plan line hearings for Stevens Creek Boulevard to consider a slight realignment and the need for additional widening of the road. If after public hearings it is determined that Stevens Creek Boulevard should be widened and realigned slightly, the Old Monta Vista area of the 1974 Infilling Plan Amendment shall be re-evaluated to assess the possible impact of the road alignment and the widening on land uses fronting on Stevens Creek Boulevard.

Written Policy Statements to Elaborate on Land Use Designations for Specific Study Areas

The following policy statements apply to properties and groups of properties that were studied in detail for the Valley Floor Infilling Segment of the General Plan review. The study areas are defined on Figure 2 of this document.

Undeveloped Areas

Area 1: Adjacent to and westerly of Finch Avenue.

The study area is designated as a residential land use with a dwelling unit intensity in range of 4 to 10 units per gross acre.

Area 2: Adjacent to and Easterly and Westerly of Blaney Avenue, south of Price Avenue and Rodrigues Avenue

The subject area is designated as a residential land use with a dwelling unit intensity range of 4.4 to 7.6 units per gross acre.

Area 3: Adjacent to and Easterly and Westerly of Tula Lane

The subject area is designated as a residential area with a dwelling unit intensity range of 0 to 4.4 units per gross acre.

Area 4: Adjacent to and Westerly of the Terminus of Mary Avenue

The subject area is designated for a quasi-public use. A public service oriented use compatible with the adjacent residential area such as a mini-storehouse facility would be an appropriate use for the property assuming that it were developed under a Planned Development approach.

Area 5: Adjacent to and Northerly of Stevens Creek Boulevard and Easterly of the Intersection of Stevens Creek Boulevard and Phar Lap Drive

The subject area is designated as a residential use with a dwelling unit intensity range of 0 to 4.4 units per gross acre.

The subject property is designated for residential use with a dwelling unit intensity range of 4.4 to 10 units per gross acre.

Area 9: Adjacent to and Southerly of Stevens Creek Boulevard bordered by Scenic Boulevard to the West and Stevens Creek to the East

The subject area is influenced directly by Stevens Creek and as such, the land use policies for the subject property are contained within the Stevens Creek Flood Plain Policy section of this document.

Area 10: Easterly Terminus of Scenic Boulevard Immediately North of the Horse Ranch Municipal Park

The subject area is influenced directly by Stevens Creek and as such, the land use policies for the subject property are contained within the Stevens Creek Flood Plain Policy section of this document.

Area 20: Southeast Quadrant of the Intersection of Bubb Road and McClellan Road

The subject property is owned by the Santa Clara Valley Water District. The land use designation is Public Facilities.

Area 21A: Northwest Quadrant of the Intersection of Stevens Creek Boulevard and Foothill Boulevard

The subject area is partially designated by a residential land use intensity range of 4.4 to 7.7 dwelling units per gross acre with the remaining area designated Planned Development with professional office/commercial intent and/or residential use with an intensity range of 4.4 to 7.7 dwelling units per gross acre. The professional office/commercial land uses shall be low intensity in nature and access to Silver Oak Way shall be limited.

Area 21B: Southeast Quadrant of the Intersection of Stevens Creek Boulevard and Foothill Boulevard

The subject area is designated as residential land use with a dwelling unit intensity range of 0 to 4.4 units per gross acre. The existing Mobil Oil station site is designated as Planned Development with general commercial intent.

Area 22: The Northeast and Southeast Corners of the Intersection of McClellan Road and Foothill Boulevard

The subject properties are designated residentially with a dwelling unit intensity range of 4.4 to 7.6 units per gross acre.

Area 23: Southeast Quadrant of the Intersection of Stevens Creek Boulevard and Lockwood Drive

The study area is designated as a residential area with a dwelling unit intensity range of 0 to 4.4 units per gross acre. The eastern half of the study area, which is in church ownership shall have a quasi-public overlay with the intent being that should the church choose not to develop the southern part of its ownership that the property be developed with a residential use at 0 to 4.4 units per acre.

Area 24: Adjacent to Mary Avenue and Southerly of the City Corporation Yard

The study area is designated for a residential use with a dwelling unit intensity of 4.4 to 10 units per gross acre.

Area 25: Adjacent to Stelling Road Immediately Northerly of the Faria Elementary School

The subject area is designated for a residential use with a dwelling unit intensity of 4.4 to 10 units per gross acre.

Area 26: Adjacent to Blaney Avenue Immediately Southerly of Route 280 Freeway

The subject area is designated as a residential use with a dwelling unit intensity range of 4 to 7.6 units per gross acre with a quasi-public overlay designation that would permit the utilization of the property for a mini-storage facility.

SEMI-DEVELOPED AREAS

Area B: The Northeast Quadrant of the Intersection of Foothill Boulevard and Stevens Creek Boulevard Including the Land Areas Served by Crescent Road and Hillcrest Road

The subject area is designated as a residential use with a dwelling unit intensity of 0 to 4.4 units per gross acre.

Area C: An Area Bounded by Alcalde Road, Foothill Boulevard and Santa Lucia

The subject area is divided into three land use types. The existing commercial land uses directly opposite McClellan Road area designated commercial. The lots beginning northerly of the commercial designation and continuing north to Alcalde Road and thence west to Merriman Road shall be designated as a residential use with a dwelling unit intensity range of 4.4 to 7.6 units per gross acre. The balance of the study area shall be designated as a residential land use type with a dwelling unit intensity range of 0 to 3.5 units per gross acre.

Area D: South of McClellan Road and East and West of Rae Lane

The subject area is designated as a residential land use with a dwelling unit intensity range of 0 to 4.4 units per gross acre.

Area E: Westerly of and Adjacent to Linda Vista Drive, Mid-block between Hyannisport and Columbus Avenues

The subject area is designated as a residential land use with a dwelling unit intensity range of 0 to 4.4 units per gross acre.

Area F: Northerly of and Adjacent to Lindy Lane and Westerly of Terra Bella Drive

The subject area is designated as a residential land use with a dwelling unit intensity range of 0 to 2 units per gross acre.

Area G: An Area Bounded by Stevens Creek Boulevard, Scenic Boulevard, Janice Avenue, and Palo Vista Road

The subject area is designated as a residential land use with a dwelling unit intensity range of 0 to 4.4 units per gross acre.

Area H: An Area Bounded by Janice Avenue, Riviera Road /Monta Vista, McClellan Road and Foothill Boulevard

The subject area is designated as a residential land use with a dwelling unit intensity range of 0 to 4.4 units per gross acre.

OTHER AREAS

St. Joseph Church: Southerly of and Adjacent to the Future Extension of Forest Drive Approximately 600 feet Easterly from the Intersection of Saratoga-Sunnyvale Road and Forest Avenue Extension

The subject area containing approximately 5 acres is designated with a residential dwelling unit intensity range of 4.4 to 10 units per gross acre. The development standard stipulated in the Core Area General Plan Amendment for the "Easterly side of Saratoga-Sunnyvale Road between existing Quasi-Public church site and Interstate Freeway Route 280" shall apply.

Kester Property: McClellan Road "Hairpin" Opposite the Intersection of McClellan Road and Mira Vista Drive

The subject area is designated Planned Development with General Commercial intent. The intent of the land use designation is to promote a specialized commercial use that is compatible with the adjacent residential neighborhood and natural environment of the Stevens Creek Flood Plain.

Southwest Quadrant of Foothill Boulevard and Stevens Creek Boulevard

The subject area consists of 4 lots. The two northerlymost lots, which are currently occupied by a market, are designated Planned Development, with a General Commercial intent. The two southerlymost parcels are designated Residential, with a permitted intensity of 0 to 4.4 dwelling units per gross acre.

Kirwin Lane

The subject area consists of two lots currently zoned for multiple family use but developed as single-family dwellings. The area is designated Residential, with a permitted intensity of 0 to 4.4 dwelling units per gross acre.

U.C. BERKELEY LIBRARIES



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